

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RACHEL HUMPHREY,

Defendant.

8:16CR76

**ORDER ON APPEARANCE FOR  
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on October 12, 2022 regarding Third Amended Petition for Offender Under Supervision [418]. Jerrold R. Black represented the defendant. Kimberly Bunjer represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The defendant requested a Preliminary Hearing which was scheduled for October 20, 2022 and filed a waiver of preliminary hearing [431] on October 17, 2022. The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before Chief U.S. District Judge Robert F. Rossiter, Jr. in Courtroom No. 4, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 10:00 a.m. on November 30, 2022.

The government moved for detention based upon risk of flight and danger during the hearing on October 12, 2022. The defendant requested a detention hearing which was scheduled for October 20, 2022. The defendant filed a Submission of the Determination of Detention or Release [432] on October 17, 2022. The court finds that the defendant failed to meet her burden to establish by clear and convincing evidence that she will not flee or pose a danger to any other person or to the community. Fed. R.

Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to risk of flight and danger and the defendant shall be detained until further order of the Court.

The defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a correctional facility and shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for an appearance in connection with a court proceeding.

**IT IS SO ORDERED.**

Dated this 17th day of October, 2022.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge